

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
vs.)
Plaintiff,)
vs.) Case No. 6:22-cr-03083-RK-1
ADAN FLORES,)
Defendant,)

**UNCONTESTED MOTION FOR CONTINUANCE OF PRETRIAL CONFERENCE
AND JURY TRIAL SETTING**

COMES NOW Defendant, Adan Flores, by and through Counsel , Joseph S. Passanise of WAMPLER & PASSANISE and moves the Court for a continuance of the Pretrial Conference scheduled for November 6, 2024, at 9:30 a.m. and the Jury Trial setting scheduled for December 2, 2024, at 9:00 a.m. In support of this motion for Continuance, the Defendant states as follows:

LEGAL SUGGESTIONS

1. This case has a Pretrial Conference scheduled for November 6, 2024, at 9:30 a.m., and a Jury Trial Setting scheduled for December 2, 2024, at 9:00 a.m.
2. Defense Counsel and the U.S. Attorney continue to have ongoing negotiations in regards to this matter.
3. Additional time is needed to conduct critical evaluations of the discovery, relevant guidelines, potential motions to suppress, and to otherwise make a global evaluation of the case and options to resolve this matter.

4. This continuance is not sought for the purpose of undue delay but is sought in truth and fact that the Defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(I) and (IV), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the Defendant to a speedy trial which is required by 18 U.S.C. § 3161(c)(1). In short, the procedural components that currently exist in this case necessitate a continuance to avoid a miscarriage of justice and/or to ensure that Steven Konert has clear, meaningful, and effective access to counsel while preparing to resolve this case.
5. Under the provisions of 18 U.S.C. § 3161(h)(7)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the Defendant should be brought to trial under the provisions of the Speedy Trial Act.
6. Defense Counsel has spoken with AUSA Cameron Beaver, and he does not object to this continuance.

WHEREFORE, Defense Counsel prays for an Order herein that the pretrial conference and Jury Trial be struck and continued to the Court's February Jury Trial Docket and for such other and further relief as the court deems just and proper.

Respectfully Submitted

/s/Joseph Passanise
JOSEPH S. PASSANISE, MO Bar #46119
Attorney for Defendant

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Certificate of Service

I hereby certify that on November 4, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the U.S. Attorney, Springfield, Missouri.

/s/Joseph Passanise
Joseph S. Passanise
Attorney at Law